

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

RUSSELL OATMAN and LATOYA
OATMAN, husband and wife,

Plaintiffs,

v.

SUNNOVA ENERGY CORPORATION;
ASPEN INSURANCE COMPANY; and
JOHN DOES 1 – 10 (being fictitious names of
persons and entities who are not presently
known to plaintiffs).

Defendants.

Civil Action No.

NOTICE OF REMOVAL

To: United States District Court for the District of New Jersey

PLEASE TAKE NOTICE that defendant, ASPEN INSURANCE COMPANY (“Aspen”), by their undersigned counsel, hereby files this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441 and 1446 in the Office of the Clerk of the United States District Court for the District of New Jersey for removal of the above-captioned litigation from the Superior Court of New Jersey, Law Division – Camden County, docket number CAM-L-001527-25, where it is now pending, to the United States District Court for the District of New Jersey.

1. On or about May 7, 2025, Plaintiffs Russell Oatman and Latoya Oatman (“Plaintiffs”), instituted suit by filing a complaint against defendants Aspen, Sunnova Energy Corporation (“Sunnova”), and John Does 1 – 10 (collectively, “Defendants”) in the Superior Court of New Jersey, Law Division, Camden County under docket no. CAM-L-001527-25. A copy of the Complaint is attached as Exhibit A.

2. Upon information and belief, the total amount of damages Plaintiffs seek to recover from Defendants are in an amount in excess of \$75,000.00, exclusive of interest and costs.

3. Specifically, Plaintiffs' Complaint seeks damages relating to the alleged injuries and damages to the 20.150-kilowatt solar panel system installed to the Plaintiffs' property as well as interior and exterior to the home itself. *See* Ex. A, ¶ 21.

4. Plaintiffs' Complaint seeks recoupment for a total System cost of \$102,289.09, the cost to purchase the System. *See* Ex. A, ¶ 24.

5. Additionally, Plaintiffs' Complaint seeks damages for their home and personal property allegedly damaged by water infiltration, which Plaintiffs have estimated to Aspen totals in excess of \$83,000.

6. Plaintiffs seek damages in excess of the jurisdictional minimum set forth in 28 U.S.C. § 1332, as Plaintiffs seek damages in excess of \$75,000. *See* Ex. A.

7. The basis for federal court jurisdiction in this case is 28 U.S.C. § 1332, diversity of citizenship, which provides, in relevant part, that federal district courts have original jurisdiction of civil actions between citizens of different states where the amount in controversy exceeds \$75,000, exclusive of interests and costs.

8. “[A]ny civil action brought in a state court of which the district courts of the United States have original jurisdiction, may be removed by the defendant to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. § 1441(a). The District of New Jersey is the district that embraces Camden County.

9. Section 1446(b) provides as follows:

The notice of removal of a civil action or proceeding shall be filed within thirty days after the receipt by the defendant, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon which such action or proceeding is based, or within thirty days after the service of summons upon the defendant if such initial pleading has then been filed in court and is not required to be served on the defendant, whichever period is shorter.

10. This Notice of Removal is timely because it was filed within 30 days from the date on which Aspen had notice that the action was removable, and because it was filed less than one year after the commencement of the state court action. 28 U.S.C. §§ 1446(b) to (c).

11. Plaintiffs Russell and Latoya Oatman are residents of the State of New Jersey residing at 9 Northgate Drive, Voorhees, New Jersey, 08043 (“Home” or “Property”). *See* Ex. A ¶ 1.

12. Defendant Sunnova is a Delaware corporation headquartered at 20 East Greenway Plaza, Houston, Texas 77046. *See* Ex. A ¶ 2.

13. Defendant Aspen is a North Dakota corporate entity headquartered at 175 Capital Boulevard, Suite 300, Rocky Hill, Connecticut 06067.

14. A copy of this Notice of Removal is being filed promptly with the Superior Court of New Jersey, Law Division, Camden County, and us bring served on counsel of record, in compliance with 28 U.S.C. §§ 1446(a) and (d).

15. Pursuant to 28 U.S.C. § 1446(a), copies “of all process, pleadings, and orders” received by Aspen are attached to this filing.

16. Defendants have not answered or otherwise responded to the Complaint.

17. Defendant Aspen was served in this matter on May 30, 2025. A copy of the Aspen Affidavit of Service is attached hereto as Exhibit B.

18. Defendant Sunnova, who was served in this matter on May 20, 2025, duly consents to the removal of Plaintiffs’ case to the United States District Court for the District of New Jersey, in accordance with 28 U.S. Code § 1446(b)(2)(A). A copy of the Sunnova Affidavit of Service is attached hereto as Exhibit C.

19. Thus, removal of Plaintiffs' case to the United States District Court for the District of New Jersey is required under the circumstances of this case because all parties are citizens of different states and, upon information and belief, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

WHEREFORE Defendant, Aspen Specialty Insurance Company, respectfully removes this action to the United States District Court for the District of New Jersey for further proceedings pursuant to this Notice.

Respectfully submitted,

CONNELL FOLEY LLP

By: /s/ William D. Deveau
William D. Deveau, Esq.
56 Livingston Avenue
Roseland, NJ 07068
WDeveau@connellfoley.com
Counsel for Defendant,
Aspen Specialty Insurance Company

CERTIFICATE OF SERVICE

I, William D. Deveau, of full age, hereby certify that the within Notice of Removal and accompanying exhibits have been caused to be electronically filed with the Clerk, United States District Court for the District of New Jersey, pursuant to this District's ECF procedures, filed with the Superior Court of New Jersey, Law Division, Camden County by operation of the Court's electronic filing system, and that a copy has been caused to be served this date, via regular mail and the Court's electronic filing system, upon:

Bradley K. Sclar, Esq.
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Five Greentree Centre, Suite 104
525 Route 73 North
Marlton, New Jersey 08053
856-988-8008
brad@sclarandsclar.com

I certify that the foregoing statements are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Respectfully submitted,

CONNELL FOLEY LLP

By: /s/ William D. Deveau
William D. Deveau, Esq.
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Counsel for Defendant,
Aspen Specialty Insurance Company